

RECOGNIZING WEN CHYAN

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 9, 2009*

Mr. BURGESS. Madam Speaker, I rise today to acknowledge Wen Chyan, from the 26th District of Texas, who was the winner of the Siemens Westinghouse Competition in Math, Science, and Technology.

Wen Chyan's curiosity about chemistry was sparked by his parents, both scientists, at an early age. Wen's astuteness has earned him recognition from the U.S. National Chemistry Olympiad, U.S.A. Biology Olympiad, and the Texas Science and Engineering Fair. His ambition and desire to contribute to medical advancements prompted him to create an antimicrobial coating for medical devices, a development that has the potential to save lives. Wen is the first TAMS student to advance to such a high level in this competition, which features the research of more than 1,000 students. Wen's hard work has earned him high recognition and a \$100,000 scholarship.

I am proud to recognize Wen Chyan for the stunning research he has accomplished, the award he has received, and the promise he holds for the future of American science. It is a privilege to represent Mr. Chyan in the 26th District of Texas.

INTRODUCTION OF THE  
"THOMASINA E. JORDAN INDIAN  
TRIBES OF VIRGINIA FEDERAL  
RECOGNITION ACT"

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 9, 2009*

Mr. MORAN of Virginia. Madam Speaker, in 2006 representatives and leaders of Virginia's Native American tribes left their communities and flew to England to participate in ceremonies that were a prelude to the 400th anniversary of the first permanent English settlement in America. Some of the distinguished Virginia residents who made this trip are the blood descendants and leaders of the surviving seven tribes that once were a part of the Great Powhatan Confederacy that initially helped sustain the colonists during their difficult first years at Jamestown. Virginia's best known Indian, Pocahontas, traveled to England in 1617 with her husband John Rolfe and was received by English royalty. She died a year later of smallpox and is buried in the chapel of the parish church in Gravesend, England.

Two years ago, this nation celebrated the 400th anniversary of the settlement of Jamestown. But it was not a celebration for Native American descendants of Pocahontas, for they have yet to be recognized by our federal government. Unlike most Native American tribes that were officially recognized when they signed peace treaties with the federal government, Virginia's six Native American tribes made their peace with the Kings of England. Most notable among these was the Treaty of

1677 between these tribes and King Charles II. This treaty has been recognized by the Commonwealth of Virginia every year for the past 331 years when the Governor accepts tribute from the tribes in a ceremony now celebrated at the State Capitol. I had the honor of attending last November what is understood to be the longest celebrated treaty in the United States.

The forefathers of the tribal leaders who gathered last Thanksgiving in Richmond were the first to welcome the English, and during the first few years of settlement, ensured their survival. As was the case for most Native American tribes, as the settlement prospered and grew, the tribes suffered. Those who resisted quickly became subdued, were pushed off their historic lands, and, up through much of the 20th Century, were denied full rights as U.S. citizens. Despite their devastating loss of land and population, the Virginia tribes survived, preserving their heritage and their identity. Their story of survival spans four centuries of racial hostility and coercive state and state-sanctioned actions.

The Virginia tribes' history, however, diverges from that of most Native Americans in two unique ways. The first explains why the Virginia tribes were never recognized by the federal government; the second explains why congressional action is needed today. First, by the time the federal government was established in 1789, the Virginia tribes were in no position to seek recognition. They had already lost control of their land, withdrawn into isolated communities and stripped of most of their rights. Lacking even the rights granted by the English Kings, and our own Bill of Rights, federal recognition was nowhere within their reach.

The second unique circumstance for the Virginia tribes is what they experienced at the hands of the state government during the first half of the 20th Century. It has been called a "paper genocide." At a time when the federal government granted Native Americans the right to vote, Virginia's elected officials adopted racially hostile laws targeted at those classes of people who did not fit into the dominant white society. The fact that some of Virginia's ruling elite claimed to be blood descendants of Pocahontas in their view meant that no one else in Virginia could make a claim they were Native American and a descendant of Pocahontas' people. To do so would mean that Virginia's ruling elite were what they decreed all non-whites to be: part of "the inferior Negroid race."

With great hypocrisy, Virginia's ruling elite pushed policies that culminated with the enactment of the Racial Integrity Act of 1924. This act directed state officials, and zealots like Walter Plecker, to destroy state and local courthouse records and reclassify in Orwellian fashion all non-whites as "colored." It targeted Native Americans with a vengeance, denying Native Americans in Virginia their identity.

To call oneself a "Native American" in Virginia was to risk a jail sentence of up to one year. In defiance of the law, members of Virginia's tribes traveled out of state to obtain marriage licenses or to serve their country in wartime. The law remained in effect until it was struck down in federal court in 1967. In that intervening period between 1924 and 1967, state officials waged a war to destroy all

public and many private records that affirmed the existence of Native Americans in Virginia. Historians have affirmed that no other state compares to Virginia's efforts to eradicate its citizens' Indian identity.

All of Virginia's state-recognized tribes have filed petitions with the Bureau of Acknowledgment seeking federal recognition. But it is a very heavy burden the Virginia tribes will have to overcome, and one fraught with complications that officials from the bureau have acknowledged may never be resolved in their lifetime. The acknowledgment process is already expensive, subject to unreasonable delays, and lacking in dignity. Virginia's paper genocide only further complicates these tribes' quest for federal recognition, making it difficult to furnish corroborating state and official documents and aggravating the injustice already visited upon them.

It wasn't until 1997, when Governor George Allen signed legislation directing state agencies to correct state records, that the tribes were given the opportunity to correct official state documents that had deliberately been altered to list them as "colored." The law allows living members of the tribes to correct their records, but the law cannot correct the damage done to past generations or recover documents that were purposely destroyed during the "Plecker Era."

In 1999, the Virginia General Assembly adopted a resolution calling upon Congress to enact legislation recognizing the Virginia tribes. I am pleased to have honored that request, and beginning in 2000 and in subsequent sessions, Virginia's Senators and I have introduced legislation to recognize the Virginia tribes.

There is no doubt that the Chickahominy, the Eastern Chickahominy, the Monacan, the Nansemond, the Rappahannock and the Upper Mattaponi tribes exist. These tribes have existed on a continuous basis since before the first European settlers stepped foot in America. They are here with us today.

I know there is resistance in Congress to grant any Native American tribe federal recognition. And I can appreciate how the issue of gambling and its economic and moral dimensions has influenced many Members' perspectives on tribal recognition issues. The six Virginia tribes are not seeking federal legislation so that they can build casinos. They find this assertion offensive to their moral beliefs. They are seeking federal recognition because it is an urgent matter of justice and because elder members of their tribes, who were denied a public education and the economic opportunities available to most Americans, are suffering and should be entitled to the federal health and housing assistance available to federally recognized tribes.

To underscore this point, the legislation I am introducing includes language approved last session by the House of Representatives that would prevent the tribes from engaging in gaming on their federal land even if everyone else in Virginia were allowed to engage in Class III casino-type gaming.

In the name of decency, fairness and humanity, I urge my colleagues to support this legislation and bring closure to centuries of injustice Virginia's Native American tribes have experienced.